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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>MTS-3564US</b>
INTERNATIONAL APPLICATION NO. <b>PCT/JP2004/000189</b>		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/541,997</b>
INTERNATIONAL FILING DATE <b>01/14/2004 (January 14, 2004)</b>		PRIORITY DATE CLAIMED <b>01/14/2003 (January 14, 2003)</b>
TITLE OF INVENTION RECORDING APPARATUS, RECORDING METHOD, RECORDING MEDIUM AND PROGRAM (AS AMENDED)		
APPLICANT(S) FOR DO/EO/US <b>Kenji MURAKI and Tetsuhiko KANEAKI</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
Items 11 to 20 below concern document(s) or information included:		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: <b>Certificate of Express Mail; PTO-2038, Request for Correction, Copy of Formalities Letter</b>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/541,997</b>		INTERNATIONAL APPLICATION NO. <b>PCT/JP2004/000189</b>		ATTORNEY'S DOCKET NUMBER <b>MTS-3564US</b>	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee..... \$300				\$	
22. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200				\$	
23. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500				\$	
<b>TOTAL OF 21, 22 and 23 =</b>				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	- 20 =		x \$ 50	\$	
Independent claims	- 3 =		x \$200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 130	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
<b>SUBTOTAL =</b>				\$ 130	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$ 130	
02/09/2006 GFREY1 00000151 10541997 01 FC:1617 130.00 DP				Amount to be refunded:	\$
				Amount to be charged:	\$ 130
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>18-0350</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
<p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p><input checked="" type="checkbox"/> Customer Number <span style="border: 1px solid black; padding: 2px;">52473</span></p> <p style="text-align: center;">OR</p> <p><input type="checkbox"/> Ratner Prestia, P.O. Box 980, Valley Forge, PA 19482</p> <p><input type="checkbox"/> RatnerPrestia, P.O. Box 1596, Wilmington, DE 19899</p> <p>Date: <span style="border: 1px solid black; padding: 2px;">February 7, 2006</span></p>					
				<p><i>Daniel N. Calder</i></p> <p>SIGNATURE</p> <p>Daniel N. Calder</p> <p>NAME</p> <p>27,424</p> <p>REGISTRATION NUMBER</p>	

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Docket No.

Applicant(s): Kenji MURAKI, et al.

MTS-3564US

Serial No.

10/541,997

Filing Date

July 13, 2005

Examiner

To Be Assigned

Group Art Unit

2655

Invention:

RECORDING APPARATUS, RECORDING METHOD, RECORDING MEDIUM AND PROGRAM (AS AMENDED)

I hereby certify that the following correspondence:

PTO Form 1390 Transmittal With Indicated Enclosures

*(Identify type of correspondence)*

Is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on **February 7, 2006**.

**EV 766498832 US***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***Kathleen Libby***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.****EV766498832US)**



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/541,997

FIRST NAMED APPLICANT

Kenji Muraki

ATTY. DOCKET NO.

MIS MAT-3564US

INTERNATIONAL APPLICATION NO.

PCT/JP04/00189

I.A. FILING DATE

01/14/2004

PRIORITY DATE

01/14/2003

52473

RATNERPRESTIA

P.O. BOX 980

VALLEY FORGE, PA 19482

**RECEIVED**

JAN 12 2006

**RatnerPrestia**

CONFIRMATION NO. 6609

371 FORMALITIES LETTER



\*OC000000017805807\*

Date Mailed: 01/09/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/13/2005
- Copy of the International Search Report filed on 07/13/2005
- Copy of IPE Report filed on 07/13/2005
- Copy of Annexes to the IPER filed on 07/13/2005
- Preliminary Amendments filed on 07/13/2005
- Information Disclosure Statements filed on 07/13/2005
- Oath or Declaration filed on 07/13/2005
- Request for Immediate Examination filed on 07/13/2005
- U.S. Basic National Fees filed on 07/13/2005
- Priority Documents filed on 07/13/2005

*Missing Res Doc (2mo) 3-9-06*

*D*

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

Additionally the following defects have been observed:

- Annexes have not been entered because No English Translation.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/541,997	PCT/JP04/00189	MAT-3564US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: K. Muraki et al.

Serial No.: 10/541,997

Group No.:

Filed:

Examiner:

For: RECORDING APPARATUS,  
 RECORDING METHOD,  
 RECORDING MEDIUM AND  
 PROGRAM

MAIL STOP PCT  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**REQUEST FOR CORRECTION OF ATTORNEY DOCKET NO.**

1. Attached is a copy of the Notice of Missing Requirements received from the PTO in the above application which shows an incorrect Attorney Docket No. We respectfully request correction of the Attorney Docket No. upon issuance of the Official Filing Receipt.

2. There is an error with respect to the following data:

- ☒ Incorrectly entered  
 and/or  
☐ omitted

Error in	Correct data
1. <input type="checkbox"/> Applicant's name	1.
2. <input type="checkbox"/> Applicant's address	2.
3. <input type="checkbox"/> Title	3.
4. <input type="checkbox"/> Filing Date	4.
5. <input type="checkbox"/> Serial Number	5.
6. <input type="checkbox"/> Foreign/PCT Application Reference	6.
7. <input checked="" type="checkbox"/> Other (Attorney Docket No.)	7. MTS-3564US

3. No fee is due.

RatnerPrestia  
 P. O. Box 980  
 Valley Forge, PA 19482-0980  
 (610) 407-0700

Respectfully submitted,

*Daniel N. Calder*

Daniel N. Calder, Reg. No. 27,424

**CERTIFICATE OF MAILING (37 CFR 1.8a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 7, 2006.

*Kathleen Libby*  
 Kathleen Libby